

PETITION FOR CERTIFICATE OF CORRECTION Address to: Mail Stop Certificate of Correction Branch Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket	YAMA-009
	First Named Inventor	YAMASHITA, THOMAS T.
	Patent Number	7,927,616
	Issue Date	April 19, 2011
	Application Number	10/759,788
	Filing Date	January 16, 2004
	Title:	<i>"Pesticide Compositions and Methods for Their Use"</i>

Sir:

Transmitted herewith for filing is a Certificate of Correction for the above-identified patent. The Certificate of Correction is to correct typographical errors in the Specification section of the Patent as follows:

In Section 4, after line 58, insert the following paragraph:

[0001] "Table 1 provides exemplary pesticides that may be used in the subject invention. However, such is for exemplary purposes only and is in no way intended to limit the scope of the invention."

Enclosed is a copy of the page of the Specification as filed correctly listing the omitted paragraph above. *Also enclosed is a copy of the named sections of the issued patent showing the typographical error.*

It is believed that no fee is due since the error was made by the Patent and Trademark Office. However, the Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.20, which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815 order number YAMA-009.

Respectfully submitted,

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

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INVENTOR(S) : YAMASHITA, THOMAS T.

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employed in the subject invention may be known to be phytotoxic or may be at least suspected of being phytotoxic. Pesticides employed in the subject compositions may be in any suitable form, e.g., may be in solid or liquid form, may be an organic pesticide, may be an inorganic pesticide, and the like.

[0020] The pesticides employed in the subject invention may be a naturally occurring, derived from natural materials or may be non-naturally occurring. The pesticide compositions may include a single pesticide or a plurality of pesticides. Where a subject pesticide composition includes a plurality of pesticides, the number of different pesticides in the composition may range from about 1 to about 10, e.g., from about 1 to about 7, e.g., from about 1 to about 5, e.g., from about 1 to about 4. In certain embodiments, at least one of the pesticides employed may be a small molecule pesticide, where by small molecule is meant that the molecule has a size that does not exceed about 10 kDa, and in certain embodiments does not exceed about 5 kDa.

[0021] As noted above, synthetic or man-made pesticides may also be employed in the subject compositions. Such synthetic pesticides include, but are not limited to organochlorines, organophosphates, organosulfurs, botanicals, carbamates, neonicotinyls (which include chloronicotinyls), antibiotics, dicarboximides, phenylamines, benzimidazoles, triazoles, strobilurines, imides, amides and pyrethroids.

[0022] Table 1 provides exemplary pesticides that may be used in the subject invention. However, such is for exemplary purposes only and is in no way intended to limit the scope of the invention.

<u>Pesticide Family</u>	<u>Pesticide Use</u>	<u>Trade Name Examples</u>
Organophosphates	Insecticide	Malathion, Diazinon, Lorsban, Phosmet
Organosulfurs	Miticide	Omite
Carbamates	Insecticide	Sevin, Furadan, Vydate
Botanicals	Insecticide	Nicotine, Sabadilla, Limonene, Pyrethrum
Synthetic Pyrethroids	Insecticide	Pounce, Baythroid

Unless defined otherwise, all technical and scientific terms used herein have the same meaning as commonly understood by one of ordinary skill in the art to which this invention belongs. Although any methods and materials similar or equivalent to those described herein can also be used in the practice or testing of the present invention, the preferred methods and materials are now described. All publications mentioned herein are incorporated herein by reference to disclose and describe the methods and/or materials in connection with which the publications are cited.

It must be noted that as used herein and in the appended claims, the singular forms "a", "an", and "the" include plural referents unless the context clearly dictates otherwise.

The publications discussed herein are provided solely for their disclosure prior to the filing date of the present application. Nothing herein is to be construed as an admission that the present invention is not entitled to antedate such publication by virtue of prior invention. Further, the dates of publication provided may be different from the actual publication dates which may need to be independently confirmed.

As will be apparent to those of skill in the art upon reading this disclosure, each of the individual embodiments described and illustrated herein has discrete components and features which may be readily separated from or combined with the features of any of the other several embodiments without departing from the scope or spirit of the present invention.

In further describing the subject invention, the subject pesticide compositions are described first in greater detail, followed by a review of the subject methods for preparing exemplary pesticide compositions according to the subject invention and methods of using the subject compositions to treat plant. Finally, kits for use in practicing the subject methods are described.

Pesticide Compositions

As summarized above, the subject invention provides pesticide compositions that at least reduce or mollify pesticide-induced phytotoxicity of a plant brought about by administration of a phytotoxic inducing pesticide (i.e., a phytotoxicant) to the plant. Phytotoxicity may be characterized broadly as plant injury and may manifest or express itself in a number of ways including subtle and/or obvious symptoms. For example, symptoms may include compromised physical and/or physiological activity or function of one or more aspects of a plant and may range from minor leaf speckling to plant death. Phytotoxicity symptoms may include, but are not limited to, chlorosis, necrosis, burning, leaf speckling or banding, leaf drop, fruit spotting, distortion of new growth, stunting of growth, cessation of growth, discoloration (e.g., yellowing of the leaves (soaps)), root injury (e.g., poor root development or growth), puckering (xylene injury), tip browning, plant death, and the like. For example, phytotoxicity may result in a reduction or compromise in a plant's metabolic activity, such as manifested as adversely affecting (e.g., stunting) plant growth, e.g., phytotoxicity may be observed as an adverse effect on a plant's overall vigor and growth.

The subject compositions combine a phytotoxic inducing pesticide or a pesticide at least suspected of inducing phytotoxicity in a plant, and at least one phytotoxicity-mollifying or reducing component. When combined with a pesticide at least suspected of being a phytotoxic inducing pesticide, the at least one phytotoxic reducing component mollifies or "buffers" the magnitude or in certain instances eliminates phytotoxicity. Embodiments of the subject pesticide compositions are assimilable carbon skeleton energy component-containing pesticide compositions and as such include a pesticide and an assimilable carbon skeleton energy component.

Other phytotoxic reducing components that may be included in the subject pesticide compositions include, but are not limited to, one or more micronutrients component, a macronutrient component, a vitamin/cofactor component, and a complexing agent. Each of these components is described separately in greater detail below.

The inventor of the subject invention has discovered that the subject pesticide compositions (i.e., pesticide compositions that include one or more of: an assimilable carbon skeleton energy component, a macronutrient component, a micronutrient component, a vitamin/cofactor component and a complexing agent) provide unexpected, beneficial results when administered to a plant. More specifically, the inventor of the subject invention has realized that, when applied to a plant, the subject pesticide compositions provide subtle to significant increases in a plant's protection from pesticide-induced phytotoxicity, relative to the administration of a pesticide alone or rather without any of the additional phytotoxic-reducing components, where in certain instances phytotoxic effects are completely eliminated.

Pesticide

Any suitable pesticide(s) may be employed in the subject compositions. By pesticide is meant broadly to include any agent that affects the mortality or behavior of a target organism and includes, but is not limited to, insecticides, acaricides, miticides, fungicides, bactericides, herbicides, antibiotics, antimicrobials, nematocides, rodenticides, entomopathogens, pheromones, attractants, plant growth regulators, insect growth regulators, chemosterilants, repellents, viruses and phagostimulents. Examples of these pesticides are known to those skilled in the art, and many are readily commercially available. Pesticides employed in the subject invention may be known to be phytotoxic or may be at least suspected of being phytotoxic. Pesticides employed in the subject compositions may be in any suitable form, e.g., may be in solid or liquid form, may be an organic pesticide, may be an inorganic pesticide, and the like.

The pesticides employed in the subject invention may be a naturally occurring, derived from natural materials or may be non-naturally occurring. The pesticide compositions may include a single pesticide or a plurality of pesticides. Where a subject pesticide composition includes a plurality of pesticides, the number of different pesticides in the composition may range from about 1 to about 10, e.g., from about 1 to about 7, e.g., from about 1 to about 5, e.g., from about 1 to about 4. In certain embodiments, at least one of the pesticides employed may be a small molecule pesticide, where by small molecule is meant that the molecule has a size that does not exceed about 10 kDa, and in certain embodiments does not exceed about 5 kDa.

As noted above, synthetic or man-made pesticides may also be employed in the subject compositions. Such synthetic pesticides include, but are not limited to organochlorines, organophosphates, organosulfurs, botanicals, carbamates, neonicotinyls (which include dicarboximides, phenylamines, strobilurines, imides, amides and

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